

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 284 of 1985

with

SPECIAL CRIMINAL APPLICATION No 285 of 1985

With

SPECIAL CRIMINAL APPLICATION NO. 286 OF 1985

AND

SPECIAL CRIMINAL APPLICATION NO. 287 OF 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE and  
MR.JUSTICE Y.B.BHATT

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

(No. 1 to 5 NO )

-----

RASIKLAL N. SHAH & ORS.

Versus

STATE OF GUJARAT & 2 ORS.

-----

Appearance:

1. Special Criminal Application No. 284 of 1985  
MR JIVANLAL G SHAH for Petitioners  
Mr. K.C. Shah, ld.PUBLIC PROSECUTOR for Respondent No. 1  
DELETED for Respondent No. 2
2. Special Criminal ApplicationNo 285 of 1985  
MR VIJAY H PATEL for Petitioners  
MR RAMESH K SHAH for Respondent No. 1

3. Special Criminal Application No 286 of 1985

Mr. Y.N. Oza, Ld. counsel for Petitioner

Mr. K.C. Shah, Ld.Public Prosecutor for Res.No.2

Respondent no.1 served.

4. Special Criminal Application No. 287 of 1985

Nobody represents petitioner (Since decd.)

Mr. K.C. Shah, Ld. Public Prosecutor for Res.no.2

Respondent no.1 served.

-----  
CORAM : MR.JUSTICE S.D.DAVE and

MR.JUSTICE Y.B.BHATT

Date of decision: 16/09/97

ORAL JUDGEMENT

Per: S.D. Dave, :-

Present orders shall govern the disposal of these four petitions.

This group of petitions came to be filed in year 1985 in the peculiar facts & circumstances prevailing in the State at the relevant time. The grievance made by the respective petitioner in the petition concerned was that, a grave situation had arisen and was persisting in the City of Ahmedabad, and that, certain officials of the Central Reserve Police Force were acting in a manner which can be said to be high-handed, capricious and unwarranted by the facts and law.

Now, it is not in dispute that the petitions were required to be filed, regard being had to the special facts & circumstances annexed to each of the petitions. The prayers were limited in nature because the grievance of the respective petitioner was in respect of the existing situation in the City of Ahmedabad and the role being played by certain highly placed officials of the Central Reserve Police Force. These circumstances, admittedly do not obtain at present, and therefore, it appears, after hearing learned counsel for the parties, that the matters have become infructuous by passage of time and by a sea change in the circumstances. We, therefore, are of the opinion that the present proceedings require to be disposed of. We order

accordingly. Petitions shall stand disposed of. Interim relief if any in each of the petitions shall stand vacated. Rule shall stand discharged in each of the petitions.

-----

/vgn.